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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:03-cr-00534-KJD-RJJ

8 Plaintiff,

ORDER

9 v.

10 MICHAEL ANTHONY CERNAK,


11 Defendant.

12 Presently before the Court is Government's Motion for Leave to File New Authority
13 (#144/147). Also, before the Court is Defendant's Motion to Stay (#148).

14 The Court hereby orders that Petitioner file a Supplemental Brief in Support of his § 2255
15 motion which shall be filed no later than October 25, 2019, the Government's Supplemental
16 Brief shall be filed no later than November 8, 2019. Petitioner may file a reply within seven
17 days, but only if it directly addresses the Government's arguments (mere reiteration of previous
18 arguments is unnecessary). Further both briefs should squarely address the issue of which prong
19 Defendant was convicted or sentenced under. Finally, Motions (#144/147/148) are **DENIED**
20 **without prejudice as moot.**

21 **IT IS SO ORDERED.**

22 Dated this 30th day of September, 2019.

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25 Kent J. Dawson
United States District Judge
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